

Jonathan W. Fountain, Esq.  
Nevada Bar No. 10351  
John J. Savage, Esq.  
Nevada Bar No. 11455  
HOWARD & HOWARD ATTORNEYS PLLC  
3800 Howard Hughes Pkwy., Suite 1000  
Las Vegas, NV 89169  
Tel. (702) 257-1483  
Email: [jwf@h2law.com](mailto:jwf@h2law.com)  
Email: [ajs@h2law.com](mailto:ajs@h2law.com)

*Attorneys for Plaintiff/Counterdefendant  
Volunteer Crossing, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

VOLUNTEER CROSSING, LLC, a Nevada  
limited liability company,

Plaintiff,  
vs.

COUNTY OF CLARK, a political subdivision  
of the State of Nevada; DOES 1 through 10,  
inclusive; ROE ENTITIES 1 through 10,  
inclusive

Defendants.

and

32 ACRES, LLC, a Nevada limited liability  
company,

Nominal Defendant.

Case No. 2:24-cv-01433-APG-DJA

**STIPULATION AND ~~[PROPOSED]~~  
ORDER FOR EXTENSION OF CASE  
MANAGEMENT DEADLINES**

**(First Request)**

HOWARD & HOWARD ATTORNEYS PLLC

Pursuant to Federal Rule of Civil Procedure 16(b)(4), LR IA 6-1, and LR 26-3, Plaintiff Volunteer Crossing, LLC (“Volunteer”), Defendant Clark County (“Clark County”), and Nominal Defendant 32 Acres, LLC (“32 Acres”) hereby agree and stipulate, and respectfully seek the Court’s permission, to extend the case management deadlines set forth in the Court’s Scheduling Order (ECF No. 28). This is the parties’ first requested extension of case management deadlines. In support of their stipulation and request, the parties state as follows:

**I. The Discovery Completed to Date – LR 26-3(a)**

The parties have completed the following discovery: the parties have each served initial Rule 26(a)(1)(A) disclosures. The parties have not engaged in any other discovery.

**II. The Discovery that Remains to be Completed – LR 26-3(b)**

The following discovery remains to be completed: the parties anticipate serving written discovery request on each other party in this matter including interrogatories, requests for the production of documents, and requests for admissions. The parties also anticipate serving third-party subpoenas to obtain documents and testimony from third parties and conducting depositions of party and non-party witnesses.

**III. The Reasons Why Prior Deadlines Were Not Met or Cannot be Met – LR 26-3(c)**

The parties seek an extension of the case management deadlines for the following reasons. First, Volunteer and Clark County entered a stipulation whereby Volunteer agreed not to immediately re-file its preliminary injunction motion that was pending when this case was removed to this Court, and Clark County agreed to maintain the status quo stay for a period of 90 days so that Clark County could bring 32 Acres into this case and so that the parties could engage in settlement discussions. That ninety-day period expired without the parties reaching an agreement to settle the case, but the parties continued to engage in informal discussions aimed at reaching a settlement. However, shortly after the Christmas and New Years’ holidays, Volunteer’s principal counsel and lead counsel in this matter, Thomas W. Davis, II, Esq., passed away on January 2, 2025. While the parties have since had additional settlement discussions, it appears that the parties’ settlement discussions are now at an impasse and the parties are ready to proceed with discovery in this case. The parties agree that the foregoing circumstances constitute

good cause for the requested extension of case management deadlines.

#### IV. A Proposed Schedule for Completing All Remaining Discovery – LR 26-3(d)

The parties jointly propose the following schedule for completing remaining discovery:

Event	Current Deadline	Proposed Deadline
Initial Expert Disclosures	February 13, 2025	June 13, 2025
Rebuttal Expert Disclosures	March 15, 2025	July 13, 2025
Discovery Cutoff	April 14, 2025	August 12, 2025
Dispositive Motions	May 14, 2025	September 11, 2025
Joint Pretrial Order	June 13, 2025 (unless one or more dispositive motions have been filed, in which case the date for filing the Joint Pretrial Order shall be thirty (30) days after entry of the Court's order resolving the last pending dispositive motion)	October 11, 2025 (unless one or more dispositive motions have been filed, in which case the date for filing the Joint Pretrial Order shall be thirty (30) days after entry of the Court's order resolving the last pending dispositive motion)

This is the parties' first request to extend the case management deadlines. The parties make this stipulation in good faith, to promote the just, speedy, and inexpensive determination of this action, and not for purposes of undue delay.

#### IT IS SO AGREED AND STIPULATED:

OLSON CANNON & GORMLEY

By: /s/ Thomas D. Dillard  
 Thomas D. Dillard, Jr., Esq.  
 Nevada Bar no. 6270  
 9950 W. Cheyenne Avenue  
 Las Vegas, NV 89129  
 Tel. (702) 384-4012  
 Email: [tdillard@ocgattorneys.com](mailto:tdillard@ocgattorneys.com)

*Attorneys for Defendant, Counterclaimant, and  
 Third-Party Plaintiff Clark County, Nevada*

Womble Bond Dickinson LLP

By: /s/ Ogonna M. Brown  
 Ogonna M. Brown, Esq.  
 Nevada Bar No. 789  
 Trent L. Earl, Esq.  
 Nevada Bar No. 15214  
 3993 Howard Hughes, Pkwy., Suite 600  
 Las Vegas, NV 89169  
 Telephone: (702) 949-8200  
 Email: [Ogonna.brown@wbd-us.com](mailto:Ogonna.brown@wbd-us.com)  
 Email: [Trent.earl@wbd-us.com](mailto:Trent.earl@wbd-us.com)

*Attorneys for Third-Party Defendant 32  
 Acres, LLC*

HOWARD & HOWARD ATTORNEYS PLLC

By: /s/ Jonathan W. Fountain

Jonathan W. Fountain, Esq.

Nevada Bar No. 10351

John J. Savage, Esq.

Nevada Bar No. 11455

3800 Howard Hughes Pkwy., Suite 1000

Las Vegas, NV 89169

Telephone: (702) 257-1483

Email: [jwf@h2law.com](mailto:jwf@h2law.com)

Email: [jj@h2law.com](mailto:jj@h2law.com)

*Attorneys for Plaintiff and Counter-defendant  
Volunteer Crossing, LLC*

**IT IS SO ORDERED:**



UNITED STATES MAGISTRATE JUDGE

DATED: 2/19/2025

HOWARD & HOWARD ATTORNEYS PLLC